

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1357, L.D. 1874, Bill, "An Act to Correct the Subdivision Laws"

Amend the bill in section 1 in subsection 2 by striking out all of the 2nd paragraph (page 1, lines 16 to 23 in L.D.) and inserting in its place the following:

'The term subdivision shall also include ~~includes~~ the division, ~~placement or construction~~ of a new structure or structures on a tract or parcel of land ~~into~~ resulting in 3 or more dwelling units within a 5-year period ~~and the division of an existing structure or structures previously used for commercial or industrial use into 3 or more dwelling units within a 5-year period. The area included in the expansion of an existing structure is deemed to be a new structure for the purposes of this paragraph.'~~

Further amend the bill in section 1 in subsection 2 by striking out all of the last blocked paragraph.

Further amend the bill in section 2 in subsection 4 in paragraph D by adding at the end the following: 'If the real estate exempt under this paragraph by a gift to a person related to the donor by blood, marriage or adoption is transferred within 5 years to another person not related to the donor of the exempt real estate by blood, marriage or adoption, then that exempt division creates a lot or lots for the purposes of this subsection.'

STATEMENT OF FACT

This amendment deletes the provision to add an exemption from subdivision review by the Maine Land Use Regulation Commission of 500-acre lots. The amendment also stipulates that the placement or construction of 3 or more dwelling units on a lot requires a project within the jurisdiction of the commission to undergo subdivision review. This makes provisions for subdivision review under the Maine Land Use Regulation Commission

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2 consistent with provisions for subdivision review in organized
municipalities.

4 Finally, this amendment requires that a lot exempt from
subdivision review as a gift to a relative and transferred to a
6 person who is not a relative of the original donor, within 5
years of that gift, be counted as a lot for the purposes of
8 municipal subdivision review.

Reported by the Committee on Energy and Natural Resources
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